



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

Retrospective Rating Program
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DATE: September 22, 2003
TO: Retro Advisory Committee
FROM: Frank Romero (Chair), Retro Program Manager
SUBJECT: Minutes of July 8, 2003, committee meeting

The meeting was called to order by committee chair **Frank Romero** at approximately 1:05 PM.

It was *moved, seconded and carried* to **approve** the meeting minutes of April 8, 2003, as amended. Introductions were made around the room.

Financial Incentive Coordinators – *Diana Finch, Kristeen Johnson, Rose Oram and Carl Singleton* were introduced to the committee and audience. They are part of retrospective rating central office staff and work as *financial incentive coordinators* in Tumwater. They gave a short presentation on the services and support they will be offering to retro participants. Among other things, they will work with employers and groups on enrollment issues, offer workshops and individual consultations on accident prevention and return-to-work programs and review troubled accounts to identify claim trends. They are committed to listening to customers and providing services in coordination with other department resources.

OHS Project – *Diana Drylie* provided an update on the Occupational Health Services project. She indicated the project has been going well and they are compiling statistics and other data to measure the success of the project. She provided the following internet links to the participating Centers for Occupational Health & Education:

Western Washington: <http://vmccohe.valleymed.org/>

Eastern Washington: <http://www.spokanecohe.stlukesrehab.org/>

Premium Paid Letter – *Frank* sent out a letter to retro groups and individual participants in June explaining that the calculations used for determining standard premium will now be based on premium **paid**, rather than premium **due**. In the past, the results were sometimes skewed due to the computer system calculating the result based on the amount owed the department rather than the amount actually paid.

Proposed Change to Committee Bylaws – *Frank* brought up an item of old business regarding a proposal to change the Retro Advisory Committee bylaws. The department has had difficulty in the past finding candidates to represent “individual” retro employers on the committee. The change would allow for an employer who is in a retro group to serve on the committee as an *individual representative*, providing no other qualified (non-group member)

can be found; also, the group to which the employer belongs could not already be serving on the committee [at the same time as the employer]. It was *moved, seconded and carried* to make this change to the Retro Advisory Committee bylaws.

Retro Symposium – The 2003 retro symposium will take place on Wednesday, September 17, at the Washington State Convention & Trade Center in Seattle (in conjunction with the Governor’s Industrial Safety & Health Conference). Rather than a single four-hour block, this year the symposium will consist of three one-hour repeating sessions that will cover the benefits of early and safe return-to-work, as well as information about retrospective rating. The session schedule is: 1:15-2:15, 2:30-3:30 and 3:45 to 4:45; this will allow folks the opportunity to attend other events at the governor’s conference in addition to the symposium. Updates and information can be found on the retro website:

<http://www.LNI.wa.gov/retro/symposium/>

Preferred Workers – *Kathy Kimbel (Program Manager for Employer Services)* provided an update on the status of the preferred workers program. She reported that questions had been raised about the Preferred Worker Program and as a result Kathy requested an internal audit of the program, which found the department was allowing certifications outside of what the rule (WAC 296-16-010) allowed. The audit also found there was no tracking system in place, that L&I was certifying and providing extensions on the 36 month period without any justification and without provisions as directed in rule, and that L&I was not asking for or receiving any sort of information from the vocational counselor regarding the reason why a worker could not return to work due to his/her injury. In addition, the study found that employers would move a person to a job, then during the last few months of the 36 month period move them to another job to get an additional 36 months of reduced premiums for that worker – a practice that is not permitted in the rules. The rules also state that employers must file an “intent to hire a preferred worker” form within sixty (60) days from the date of hire – and that the department had been approving many submissions that were not timely (in contradiction to the rules).

The bottom line, Kathy indicated, was the program was not being administered properly. She reported no changes have been made to the program, only that staff were now administering it correctly. Interim policies have been drafted and were sent to stakeholders for feedback; Kathy reported they anticipate this work will be completed over the next ninety (90) days. All information regarding the permanent administration of the Preferred Worker's program will be shared at that time.

Changes to Retro Rules – *Frank Romero* has proposed some changes to the Washington Administrative Code governing the retrospective rating program. Some of the changes were housekeeping in nature; he provided handouts detailing the changes. An updated copy of the DRAFT changes can be downloaded from the Retro website at:

<http://www.LNI.wa.gov/retro/news/>

Comments on the draft rules will be taken at the next meeting of the committee, on September 30, 2003.

Good of the Order: Committee member *Lauren Gubbe* asked for an update on claims issues at the next meeting.

Meeting was adjourned at approximately 3:01 PM.

Next Meeting: Tuesday, September 30, 2003